

REMARKS

Reconsideration of this application, as presently amended, is respectfully requested. Claims 1-22 are pending in the present application. Claims 1, 2, 10-12 and 16-22 stand rejected. Claim 3-9 and 13-15 were previously withdrawn from consideration as being directed to a non-elected invention.

Claim Rejections – 35 U.S.C. §102

Claims 1, 2, 10-12, 17 and 20-22 were rejected under 35 U.S.C. §102(b) as being anticipated by **Lee et al.** (US 2002/0130961). For the reasons set forth in detail below, this rejection is respectfully traversed.

Initially, it is noted that independent claims 1 and 20-22 have been amended to incorporate the language found in the respective “wherein” clauses of these claims into the paragraphs reciting the element related to the “wherein” clause. For example, in claim 1, the language of the “wherein” clause related to the “guide determining unit” has been incorporated into the paragraph that first defines the “guide determining unit”. Similarly, in claim 1, the language of the “wherein” clause related to the “guide instruction outputting unit” has been incorporated into the paragraph that first defines the “guide instruction outputting unit”. These changes are intended to clarify the claimed invention and do not substantively change the claims.

As will be discussed in more detail below, it is respectfully submitted that **Lee** does not disclose or suggest at least the feature “comparing a size of the object in the image shot by said shooting unit and a size of the object represented by the expected shooting state information” as

recited in claims 1 and 20-22. For example, in claim 1 this feature is recited “a guide determining unit which determines how the object is to be guided to the expected position based on the expected shooting state information and an image shot by said shooting unit, said guide determining unit determines whether the object should be moved close to said shooting unit or away from said shooting unit by *comparing a size of the object in the image shot by said shooting unit and a size of the object represented by the expected shooting state information*”.

In paragraph [0035], Lee discloses an iris recognition system in which a distance between a camera and a user is calculated and the user is led and guided to which direction and how far he should move. In paragraphs [0038] to [0042], Lee discloses an indicator that indicates a distance and direction for the user to move.

However, Lee fails to disclose at least one of the features of claims 1 and 20-22, i.e., *comparing a size of the object in the image shot by said shooting unit and a size of the object represented by the expected shooting state information*. In regard to this feature, the Examiner cites “a designated color and a shape” in paragraph [0037] and says that the eye size in the image capturing camera view will be considered; however, Lee never describes using the “eye size” for the process.

Lee states in paragraph [0032], “the LED 304 light transmits..., and the user can see the circular light with a designated color” [emphasis added] and states in paragraph [0096], “the distance measurement LED 404 emits a designated infrared ray” [emphasis added]. Therefore, it is clear that “a shape” in paragraph [0037] indicates the shape (circle) of light emitted from the LED.

In addition, **Lee** discloses in paragraph [0096] that the distance measurement LED 404 projects an infrared ray to the user's face and that the distance between the camera and the user is measured based on the relative position of the projected light photographed by the camera. Therefore, although **Lee** discloses using a relative position of the projected light in a shot image, **Lee** fails to disclose using "eye size" in the shot image for the process.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. It is respectfully submitted that **Lee** does not disclose or suggest each and every element recited in independent claims 1 and 20-22. Accordingly, the rejection of claims 1, 2, 10-12, 17 and 20-22 under §102 should be withdrawn. Reconsideration and withdrawal of the rejection under §102 are respectfully requested.

Claim Rejections – 35 U.S.C. §103

Claims 16 and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over **Lee et al.** in view of **Shimizu et al.** (US 2002/0041239, previously cited). Claim 19 was rejected under 35 U.S.C. §103(a) as being unpatentable over **Lee et al.** in view of **Shimazaki et al.** (US 2002/0198634, previously cited).

Neither **Shimizu et al.** nor **Shimazaki et al.** alleviate any of the above-noted deficiencies of **Lee et al.** Accordingly, each of claims 16, 18 and 19 patentably distinguish over the combination of **Lee et al.** and **Shimizu et al.** and **Lee et al.** and **Shimazaki et al.** for the same reasons set forth above with respect to claim 1 by virtue of their dependency thereon.

Application No.: 10/784,776
Art Unit: 2622

Amendment under 37 C.F.R. §1.111
Attorney Docket No.: 042090

CONCLUSION

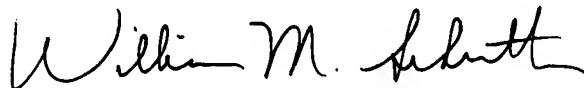
In view of the foregoing, it is submitted that all pending claims are in condition for allowance. A prompt and favorable reconsideration of the rejection and an indication of allowability of all pending claims are earnestly solicited.

If the Examiner believes that there are issues remaining to be resolved in this application, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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